IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 14551 of 2007

For Approval and Signature:

HONOURABLE MR.JUSTICE D.A.MEHTA

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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BANASKANTHA DISTRICT KELAVANI MANDAL & 1 - Petitioner(s)

Versus

HEMCHANDRACHARYA NORTH GUJARATUNIVERSITY - Respondent(s)

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Appearance :
GIRISH PATEL ASSOC for Petitioner(s) : 1 - 2.
MR HARSHADRAY A DAVE for Respondent(s) : 1,

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CORAM : HONOURABLE MR.JUSTICE D.A.MEHTA

Date : 04/12/2007

ORAL JUDGMENT

1. RULE. Learned advocate for the respondent-University is directed to waive service. In light of the view that the Court is inclined to adopt the petition is taken up for final hearing and disposal today.

2. The petition has been filed challenging the decision of respondent-University to reject the application moved by the petitioner seeking to establish and commence a Post Graduate Centre in Law. The principal ground of challenge was that the decision which has been recorded in the resolution of the Executive Council does not contain any reasons as to why the application has been rejected.

3. Upon Notice having been issued the learned advocate for the respondent-University appeared and sought time to obtain instructions. Today the learned advocate for respondent-University states, under instructions, that respondent-University shall pass a

fresh reasoned order in accordance with law after taking into consideration the application and the subsequent representation made by the petitioner as well as fresh representation that may be made by the petitioner.

4. In light of statement made by the learned advocate for respondent-University the impugned decision of respondent-University is quashed and set aside. Respondent-University is directed to take a fresh decision in accordance with law within a period of Eight weeks from the date of receipt of the fresh representation that may be moved by the petitioner. Rule made absolute. There shall be no order as to costs.

(D.A.MEHTA, J.)

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